

REMARKS

This Amendment responds to the Office Action mailed on April 06, 2004. Claims 1-18 and 20 have been cancelled. New claims 24-37 have been added. Claims 19 and 21-37 are currently pending.

Claim Rejections under 35 USC § 102

In paragraphs 1 and 2 of the Office Action, claims 19 and 21-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,329,951, which has a common assignee with the instant application. A Declaration under 37 C.F.R. § 1.132 has been filed with this Amendment, establishing that claim 19 of the instant application and the subject matter of U.S. Patent No. 6,329,951 were derived from the same inventors, and thus claim 19 is not "by another." Applicants submit that the Declaration under C.F.R. § 1.132 overcomes the rejection of claim 19, and that claim 19 is thus in condition for allowance. In addition, claims 21-37 each ultimately depend from claim 19, and are therefore also in condition for allowance.

Claim Rejections under 35 USC § 102

In paragraphs 3-5 of the Office Action, claims 1-6, 14-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Elliot (6,335,706) in view of Phillips et al. (4,571,595), claims 7 and 9-13 were rejected under 35 U.S.C § 103(a) as being unpatentable over Elliot in view of Phillips and further in view of Matsuoka et al. (6,008,773). Claims 1-18 and 20 have been cancelled by this Amendment in order to expedite prosecution of this application. Applicants reserve the right to pursue the cancelled claims in a continuation application.

Double Patenting Rejection

In paragraphs 6 and 7 of the Office Action, claims 1-22 were rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No.

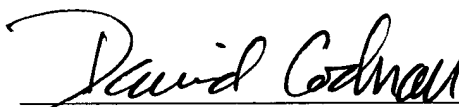
6,664,930. A terminal disclaimer in compliance with 37 CFR 1.321(c) has been filed with this Amendment, overcoming the double patenting rejection.

Conclusion

For the foregoing reasons, Applicants contend that claims 19 and 21-37 are in condition for allowance. The Examiner is, therefore, respectfully requested to enter this Amendment and pass this case to issue.

Respectfully submitted,

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A handwritten signature in cursive script, reading "David Cochran".

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